

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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RICHARD EDWARD LONECKE, JR.,

Plaintiff,

20 CIVIL 10794 (LTS) (SDA)

-v-

**JUDGMENT**

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Amended Stipulation and Order dated October 18, 2021, that that this action be, and hereby is, remanded to the Commissioner of Social Security, pursuant to sentence four of 42 U.S.C. § 405(g), in connection with the Supreme Court's decision in Carr c. Saul, 141 S. Ct. 1352 (2021), in which the Court held that a claimant need not raise an Appointments Clause claim before the Social Security Administration, but may instead present it for the first time in federal court. On remand, the case will be assigned to a different administrative law judge ("ALJ") to further evaluate plaintiff's claims, plaintiff will be offered the opportunity for a hearing, and the ALJ will issue a new decision.

**Dated:** New York, New York  
October 18, 2021

**RUBY J. KRAJICK**

BY:

Clerk of Court

Deputy Clerk